

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BIO-RAD LABORATORIES, INC. and PRESIDENT
AND FELLOWS OF HARVARD COLLEGE

Plaintiffs,

v.

10X GENOMICS, INC.,

Defendant.

C.A. No. 1:19-cv-12533-WGY

10X GENOMICS, INC.,

Counterclaim Plaintiff,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Counterclaim Co-Plaintiff as to certain
claims,

v.

BIO-RAD LABORATORIES, INC.,

Counterclaim Defendant,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Counterclaim Co-Defendant as to DJ
counterclaims.

**10X GENOMICS, INC.’S UNOPPOSED MOTION FOR LEAVE TO FILE A REPLY IN
SUPPORT OF ITS MOTION FOR EXPEDITED CONSIDERATION OF CERTAIN
HIGH-PRIORITY DISPUTES IN DOCKET NO. 141 AND/OR REFERRAL TO A
MAGISTRATE JUDGE [ECF No. 156]**

Pursuant to Federal Rule of Civil Procedure 7(b) and Local Rule 7.1(b)(3), 10X respectfully requests leave to file a reply brief in support of its Motion for Expedited Consideration of Certain High-Priority Disputes in Docket No. 141 and/or Referral to a Magistrate Judge [ECF

No. 156] (“Reply”). A copy of 10X’s Reply is attached as **Exhibit A**. Counsel for Plaintiffs have indicated that they will not oppose 10X’s Motion for Leave.

As grounds for this Motion, 10X states that a reply memorandum is necessary to address Bio-Rad’s misplaced arguments relying on prior productions in the parties’ prior litigations. Contrary to Bio-Rad’s assertions that it produced everything needed in prior cases, there is significant discovery that is highly relevant to the new and complex issues in this case that has not been produced. 10X’s reply discusses several categories of highly relevant discovery that was not produced in prior cases.

WHEREFORE, 10X respectfully requests that this Court grant its request for leave to file a reply in support of its Motion for Expedited Consideration of Certain High-Priority Disputes in Docket No. 141 and/or Referral to a Magistrate Judge [ECF No. 156].

Date: September 1, 2020

Respectfully submitted,

/s/ Matthew D. Powers

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CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby state that before filing this Motion, counsel for 10X conferred via email with Plaintiffs' counsel regarding the relief sought in this motion in accordance with the requirements of Local Rule 7.1, and counsel for Plaintiffs stated on September 1, 2020 that they would not oppose the relief sought in this Motion.

CERTIFICATE OF SERVICE

The undersigned certifies that on September 1, 2020, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will issue an electronic notification of filing to all counsel of record.

/s/ Matthew D. Powers

Matthew D. Powers